

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**USDC SDNY
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IN RE IAC/INTERACTIVECORP
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**04 CIVIL 7447 (RJH)
JUDGMENT**

Defendants having moved to dismiss the Class Complaint pursuant to Fed. R. Civ. P. 12(b)(6) and the Derivative Complaint pursuant to Rule 23.1, and the matter having come before the Honorable Richard J. Holwell, United States District Judge, and the Court, on March 21, 2007, having rendered its Memorandum Opinion and Order granting defendants' motion to dismiss the Class Complaint, dismissing the Class complaint without prejudice to the Class plaintiffs to file a second amended consolidated complaint within 30 days from the date of the Memorandum Opinion and Order dated March 21, 2007 consistent with that Opinion, rendering plaintiffs' motion to strike the Hotwire contracts as moot, granting defendants' motion to dismiss the Derivative Complaint and directing the Clerk of Court to close the cases *Butler v. Diller*, 04 Civ. 9067, and *Garber v. Diller*, 05 Civ. 1145, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum Opinion and Order dated March 21, 2007, defendants' motion to dismiss the Class Complaint is granted; the Class complaint is dismissed without prejudice to the Class plaintiffs to file a second amended consolidated complaint within 30 days from the date of the Memorandum Opinion and Order dated March 21, 2007 consistent with that Opinion; plaintiffs' motion to strike the Hotwire contracts is rendered moot; defendants' motion to dismiss the Derivative Complaint is granted; and the cases *Butler v. Diller*, 04 Civ. 9067, and *Garber v. Diller*, 05 Civ. 1145 are closed.

Dated: New York, New York
March 26, 2007

J. MICHAEL McMAHON

Clerk of Court

BY:

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON**